

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE: GAILLYNN M. MICKELSON

CASE NO.: 08-51554-NPO  
CHAPTER 13

US BANK, N.A.

MOVANT

VS

GAILLYNN M. MICKELSON

RESPONDENT

WARREN A. CUNTZ, JR.

RESPONDENT

**AGREED ORDER**

Considering the Motion for Relief from Automatic Stay and for Abandonment filed on behalf of US Bank, N.A. (#30) as to debtor and Co-Debtor, a hearing having been set for August 5, 2009 at 10:00 a.m., and the agreement between parties:

**IT IS HEREBY ORDERED** that the Debtor is in arrears on the monthly post petition mortgage payments to US Bank, N.A. for the months of May 2009 through July 2009 in the amount of \$3,601.01 which includes accrued late charges, and attorney fees and costs in the amount of \$500.00 for having to file said motion for relief.

**IT IS FURTHER ORDERED** that attorney fees and costs in the amount of \$500.00 are allowed and may be assessed against the Debtor's outstanding balance due and owing to U.S. Bank, N.A.

**IT IS FURTHER ORDERED** that the Debtor shall pay \$3,601.01 within 45 days from August 5, 2009. Should the Debtor fail to pay the account current within the time given, then without further order of the court, the automatic stay shall be lifted on behalf of Movant, thereby allowing US Bank, N.A., or its successor to foreclose immediately on the property securing the claim of US Bank, N.A., which property bears

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the municipal address of 833 Rustwood Drive, Biloxi, MS 39532 affecting the following described property:

Lot 17, Block A, Sunkist Manor, First Addition, being a subdivision located in the Second Judicial District of Harrison County, Mississippi, as per map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi.

Said property shall be abandoned from the bankruptcy estate pursuant to 11 U.S.C. 554(b). Should Debtor(s) wait until the end of the 45 days to mail said payment, debtor's counsel shall notify Morris & Associates by phone of the mailing date of payment.

**IT IS FURTHER ORDERED** that should the Debtor pay the account current as required by this Agreed Order, but then become 30 days or more delinquent beginning with August 2009, Movant shall send a ten (10) day Notice of Default to the Debtor(s) and Debtor's Attorney. If the default is not cured within 10 days from the date of the notice, the Automatic Stay shall be automatically lifted behalf of Movant, as to Debtor and Co-Debtor pursuant to 11 U.S.C. 362(a) and Section 1301 of the Bankruptcy Codes, without further order of the court.

**IT IS FURTHER ORDERED** that in the event the bankruptcy stay is lifted; Movant shall provide written notice to the Trustee in a timely manner. Mover further requests that any order remain in effect regardless of conversion to another Chapter.

**SO ORDERED,**

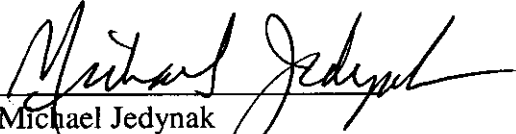


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Neil P. Olack  
United States Bankruptcy Judge  
Dated: August 26, 2009

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APPROVED

  
Michael Jedynek  
Attorney for Movant

See attached  
David L. Lord  
Attorney for Debtor

See attached  
Warren A. Cuntz, Jr., Trustee  
Or Attorney for Trustee

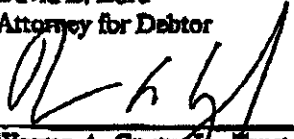
Presented by:  
Michael Jedynek, MSB# 103014  
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APPROVED

*See attached*  
Michael Jedynak  
Attorney for Movant

  
David L. Lord  
Attorney for Debtor

  
Warren A. Cuntz, Jr., Trustee  
Or Attorney for Trustee

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